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inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process.

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### REMARKS

This Application has been carefully reviewed in light of the final Office Action mailed November 22, 2000. In the Office Action, Claims 1-16 were finally rejected. To advance prosecution of the application, Claims 1, 2 and 5-7 are presently amended, and Claim 17 is added. Thus, Claims 1-17 are now pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

### Amendments to the Claims

Independent Claim 1 is amended to recite "inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process," as described in the specification. Present Application, page 20, lines 20-24 and page 22, lines 26-30. Similarly, Independent Claim 7 is amended to recite "a third database table operable to store productivity data, at least a portion of the productivity data comprising external productivity data items inserted into the third database table based on the mapping of the external productivity data items to the data elements, the productivity data capable of being used to calculate productivity scores for the evaluation process." Accordingly, no new matter is added by these amendments.

### Section 101 Rejections

The Examiner rejected pending Claims 1-16 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Presently, independent Claim 1 is amended to recite that the method comprises "inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of

being used to calculate productivity scores for the evaluation process," and Independent Claim 7 is amended to recite "a third database table operable to store productivity data, at least a portion of the productivity data comprising external productivity data items inserted into the third database table based on the mapping of the external productivity data items to the data elements, the productivity data capable of being used to calculate productivity scores for the evaluation process."

Applicants respectfully submit that the claims recite a computer-implementable method and system that provide a useful result. External productivity data from an external device is mapped to data elements in a database, and the mapped external productivity data is inserted into a productivity table for use in calculating productivity scores in an evaluation process. Thus, according to one non-limiting embodiment, the evaluation process is streamlined by having data in a centralized location for data analysis. Present Application, page 3, lines 29-31. Therefore, Applicants respectfully request that this rejection now be withdrawn.

#### **Section 102 Rejections**

The Examiner rejected pending Claims 1-8 and 11-14 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,909,669 issued to Havens ("*Havens*"). Of these, Claims 1 and 7 are independent. Applicants respectfully traverse these rejections for the reasons discussed below.

Independent Claim 1 is amended to recite "inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process."

Applicants respectfully submit that *Havens* fails to disclose, teach or suggest storing a plurality of user-defined data elements for an evaluation process, storing a user-defined configuration table for a data file comprising external productivity data, the configuration table operable to identify external productivity data items in the data file and to map external productivity data items to data elements for the evaluation process, mapping external productivity data items from the data file to the data elements based on the configuration

table, and inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process, as recited by amended Claim 1.

As stated in the previous Amendment, the retriever and segmentor of *Havens* relied on by the Examiner to show the claimed configuration table and mapping do not identify external productivity data items in a data file and map external productivity data items to stored, user-defined data elements for the evaluation process. In addition, the retriever and segmentor do not insert external productivity data items into productivity tables based on mapping of the external productivity data items to data elements. *Havens* simply asserts that data may be retrieved from a database "in any manner suitable" to allow assessments to be generated. Col. 7, lines 2-3. However, Applicants can find no teaching in *Havens* regarding any particular method or system for retrieving the data from the database. In addition, the passage cited by the Examiner to show mapping external productivity data items from the data file to the data elements based on the configuration table simply explains that the segmentor may segment survey data based on segmentation parameters. *Havens*, col. 7, lines 35-57.

In contrast, the present invention is directed toward a method for importing external productivity data into a performance evaluation system. As recited by amended Claim 1, external productivity data may be imported by storing a plurality of user-defined data elements, storing a user-defined configuration table for a data file that is operable to identify external productivity data items in the data file and to map external productivity data items to data elements, mapping external productivity data items from the data file to the data elements based on the configuration table, and inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process. Therefore, Claim 1, as amended, is not anticipated by *Havens*. Accordingly, Applicants respectfully request that amended Claim 1 be allowed.

Similar to independent Claim 1, Independent Claim 7, as amended, recites "a third database table operable to store productivity data, at least a portion of the productivity data

comprising external productivity data items inserted into the third database table based on the mapping of the external productivity data items to the data elements, the productivity data capable of being used to calculate productivity scores for the evaluation process." Therefore, for the reasons discussed above, Applicants respectfully submit that Claim 7 is patentable over the art and request that Claim 7 be allowed.

Dependent Claims 2-6 that depend from independent Claim 1 and dependent Claims 8 and 11-14 that depend from independent Claim 7 are allowable because they include the limitations of their respective base claims and add additional limitations that further distinguish the art. Accordingly, Applicants respectfully request that Claims 2-6, 8 and 11-14 be allowed.

### **Section 103 Rejections**

The Examiner rejected pending Claims 9-10 and 15-16 under 35 U.S.C. §103(a) as being unpatentable over *Havnes*. Applicants respectfully traverse these rejections for the reasons discussed below. Claims 9-10 depend from independent Claim 1, and Claims 15-16 depend from independent Claim 7. As discussed above in connection with the § 102 rejections, Claims 1 and 7 are patentable over the cited art. Therefore, Claims 9-10 and 15-16 are patentable over the art because they include the elements of their respective base claims and add additional elements that further distinguish the art. Accordingly, Applicants respectfully submit that these rejections should now be withdrawn.

### **New Claims**

Independent Claim 17 is added to more fully claim the present invention. In particular, Claim 17 includes the elements of Claims 1, 2, 5, 6, 9 and 10. Accordingly, Applicants respectfully submit that no new matter is added by this claim. Applicants respectfully submit that Claim 17 is allowable over the cited art for the reasons discussed above with regard to the Section 102 rejections.

CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims.

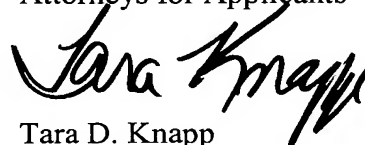
If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Enclosed is a Notification of Extension of Time Under 37 C.F.R. § 1.136, along with a check for the extension fee of \$890.00. A check in the amount of \$710.00 made payable to the "Commissioner of Patents and Trademarks" is also enclosed herewith to satisfy the request for continued examination fee of 37 C.F.R. §1.17(e).

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Date: May 22, 2001

Enclosures: Notification of Extension of Time Under 37 C.F.R. § 1.136;  
\$890.00 Check for Extension of Time;  
\$710.00 Check for Request for Continued Examination; and  
Marked-up copy of claims showing amendments (3 sheets).

**MARKED-UP COPY OF CLAIMS SHOWING AMENDMENTS**

1. (Twice Amended) A computer-implementable method for importing external productivity data into a performance evaluation system, comprising:

storing a plurality of user-defined data elements for an evaluation process;

storing a user-defined configuration **table** for a data file comprising external productivity data, the configuration **table** operable to identify external productivity data items in the data file and to map external productivity data items to data elements for the evaluation process; **[and]**

mapping external productivity data items from the data file to the data elements based on the configuration[.] **table**; **and**

**inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process.**

2. (Twice Amended) The method of Claim 1, the configuration **table** further operable to associate a data item with a member of the performance evaluation system.

3. The method of Claim 1, wherein the data file is a delimited file.

4. (Previously Amended) The method of Claim 1, wherein the data file is not a delimited file and further comprising:

storing a preprocessor file operable to generate a delimited file from the data file; and  
using the preprocessor file to generate the delimited file from the data file.

5. (Twice Amended) The method of Claim 1, further comprising the configuration **table** operable to identify a type for each of the data items.

6. (Twice Amended) The method of Claim 1, further comprising the configuration **table** operable to identify a format for each of the data items.

7. **(Twice Amended)** A computer-implementable performance evaluation system, comprising:

a first database table operable to store a plurality of user-defined data elements for an evaluation process;

a second database table operable to store configuration information for importing a data file comprising external productivity data into the performance evaluation system, the configuration information operable to identify external productivity data items in the data file and to map external productivity data items to data elements for the evaluation process[.];

**and**

**a third database table operable to store productivity data, at least a portion of the productivity data comprising external productivity data items inserted into the third database table based on the mapping of the external productivity data items to the data elements, the productivity data capable of being used to calculate productivity scores for the evaluation process.**

8. **(Previously Amended)** The performance evaluation system of Claim 7, further comprising a configuration including the configuration information and an identifier for associating a data item to a member of the performance evaluation system.

9. The method of Claim 1, further comprising receiving the data file from an external device.

10. The method of Claim 9, wherein the external device comprises a telephony switch.

11. The system of Claim 7, wherein the data file is a delimited file.

12. The system of Claim 7, wherein the data file is not a delimited file and further comprising a preprocessor file operable to generate a delimited file from the data file.

13. The system of Claim 7, the configuration information further operable to identify a type for each of the data items.

14. The system of Claim 7, the configuration information further operable to identify a format for each of the data items.

15. The system of Claim 7, wherein the data file is operable to be received from an external device.

16. The system of Claim 15, wherein the external device comprises a telephony switch.

Please insert the following new claim:

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17. (New) A computer-implementable method for importing external productivity data into a performance evaluation system, comprising:

storing a plurality of user-defined data elements for an evaluation process;

storing a user-defined configuration table for a data file comprising external productivity data, the configuration table operable to identify external productivity data items in the data file, to map external productivity data items to data elements for the evaluation process, to associate a data item with a member of the performance evaluation system, to identify a type for each of the data items, and to identify a format for each of the data items;

receiving the data file from an external device, the external device comprising a telephony switch;

mapping external productivity data items from the data file to the data elements based on the configuration table; and

inserting the external productivity data items into a plurality of productivity tables based on the mapping of the external productivity data items to the data elements, the external productivity data items inserted into the productivity tables capable of being used to calculate productivity scores for the evaluation process.

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